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**MAY 17 2007**

Docket No.: 04-02 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Swon et al.

Serial No.: 10/829,640

Filed: April 22, 2004

Title: APPARATUS AND METHOD FOR  
AGITATING A SAMPLE DURING  
IN VITRO TESTING

Examiner: Handy, Dwayne K.

Art Unit: 1743

I, Debbie Kus, hereby certify that on May 17, 2007 this correspondence is being transmitted to Examiner Dwayne K. Handy by facsimile to the Centralized Facsimile No. at 1.571.273.8300 at the US Patent and Trademark Office.

  
Signature

5/17/07  
Date Signed

Examiner, Handy, Dwayne K.  
Commissioner for Patents  
Centralized Facsimile No. 1.571.273.8300

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Sir:

This is responsive to the final Office Action dated March 8, 2007, for which a shortened statutory period for reply is set to expire on June 8, 2007. Favorable reconsideration of the Application is respectfully requested in view of the following Amendments and Remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.